



Re: Vreba-Hoff Update
Janet Kauffman

to:
Zacharda, Nicole (DNRE)
07/23/2010 04:00 PM

Cc:

Anne Woiwode, John Klein, Jon Russell, "Ostlund, Peter (DNRE)", Cheryl Burdett, Rachel Matthews, **FOIA Exemption (b) (6)** Kathy Melmoth, Eric Chatterson

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From: Janet Kauffman <jkauffman@emich.edu> Sort List...

To: "Zacharda, Nicole (DNRE)" <ZACHARDAN@michigan.gov>,

Cc: Anne Woiwode <anne.woiwode@sierraclub.org>, John Klein <john@eccscm.org>, Jon Russell <RUSSELLJ@michigan.gov>, "Ostlund, Peter (DNRE)"

<OSTLUNDP@michigan.gov>, Cheryl Burdett/R5/USEPA/US@EPA, Rachel Matthews

<MATTHEWSR@michigan.gov>, **FOIA Exemption (b) (6)** **FOIA Exemption (b) (6)**

<**FOIA Exemption (b) (6)** Eric Chatterson <CHATTERSON@michigan.gov>

Nicole, thanks very much for this information. I posted the summary below on the ECCSCM website, including a link to the DNRE fact sheet. Please let me know if I've misstated anything.

We really appreciate DNRE taking this action, especially noting the groundwater discharge concerns in Count 2 of the Amended Complaint. Let's hope there's quick and conclusive action, at last, to protect our streams and groundwater, and to protect our community.

Janet

www.nocafos.org

July 19 - New Court Action against **Vreba-Hoff** - Michigan's Department of Natural Resources and Environment (DNRE) files a new Amended Complaint against **Vreba-Hoff** with the 30th Circuit Court citing numerous, continuing violations – liquid waste still doesn't meet treatment standards; Vreba-Hoff has not had a certified operator of its treatment system since April 2009; Vreba-Hoff continues unauthorized dumping of waste in the satellite lagoon on Packard Rd, an illegal groundwater discharge. DNRE requests the court to order "**depopulation of the dairy operation**" if treatment standards are not met. DNRE also asks the Court to order Vreba-Hoff to hire a certified operator for the "Earthmentor" system immediately, to enjoin Vreba-Hoff to stop hauling waste to the satellite lagoon and, as ordered previously, to close the lagoon down.

See DNRE [Fact Sheet](#) on the current state of Michigan's lawsuit against **Vreba-Hoff**.





Vreba-Hoff's "satellite" lagoon on Packard Rd noted in the new Court Action – (left) March 19, not shut down, well after March 8 deadline; (middle) May 19, still there, filling up with unauthorized Vreba-Hoff dumping; (right) May 30, photo from far side, showing gap bulldozed shut and hauler dumping manure, foaming at the corner.

On Jul 21, 2010, at 4:01 PM, Zacharda, Nicole (DNRE) wrote:

Good afternoon Lynn, Janet, Anne & John,

Just wanted to provide a quick update on Vreba-Hoff... we have a new, updated "Fact Sheet" on the case posted to the Water portion of the DNRE website, under "Spotlight" (bottom, left of the page). The link is pasted below, but I've also attached the document to this note as I know our website it not so easy to navigate.

In addition, I've appended the state's First Amended Complaint which was filed on Monday. This amendment alleges both this season's continued irrigation violations and the unauthorized use of the Packard Road storage structure. We are hopeful that in filing this updated complaint, we will start to see some meaningful progress in the case... and more importantly to all of you, on the ground. Note that we have requested that the Court order depopulation of the operations if Vreba-Hoff is unable to demonstrate its ability to meet the treatment limits established in the NPDES permit and we are requesting that discharges of waste into the Packard structure cease with closure of that structure enforced by the Court.

<http://www.michigan.gov/deq/0,1607,7-135-3313---,00.html>

Enjoy your day and please give me a call if you have any questions,
Nicole

*Nicole M. Zacharda, Enforcement Specialist
MI-Department of Natural Resources & Environment
Water Bureau
Phone: 517-241-4115
Fax: 517-373-2040
zachardan@michigan.gov*

<Fact Sheet July 2010.pdf><amended complaint.pdf>